

MINUTES

MILWAUKIE CITY COUNCIL JUNE 21, 2004

CALL TO ORDER

Mayor Bernard called the special meeting of the Milwaukie City Council to order at 6:00 p.m. in the City Hall Council Chambers. The following Councilors were present:

Council President Lancaster
Councilor Joe Loomis

Councilor Deborah Barnes
Councilor Susan Stone

Staff present:

Mike Swanson,
City Manager
Gary Firestone,
City Attorney
Larry Kanzler,
Police Chief
Alice Rouyer,
Community Development/Public
Works Director

Paul Shirey,
Engineering Director
Grady Wheeler,
Information Coordinator
Jason Wachs,
Program Coordinator

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

Proposed Recommendation Regarding Transit Center Siting and Light Rail Alignment and Station Siting

Mayor Bernard reopened the public testimony on the proposed recommendation to TriMet and Metro regarding transit center siting and light rail alignment and station siting at 6:04 p.m.

Opponents

Keith Faust, 11551 SE 27th Avenue, Milwaukie. He discussed some of things he feels about the Kellogg Lake location. He walks his dog there every morning and he sees the views of the Lake and he tries to visualize a parking garage and buses, and asks if this is really what we want? He thinks about all the additional traffic, and that bothers him. Another thing that bothers him is that now Milwaukie owns the land. Giving more land away to other entities bothers him.

We gave away our fire department, and he did not see a lot of money come in from that. There is an impact study that needs to be done on that location. How much will this study cost? If we find some kind of animal down there that is an endangered species, then all that money is lost. Where we have options, where we have already have buildings and that type of thing makes more sense than this area. He lives close to that area, and it will impact him quite a bit.

Ed Zumwalt, 10888 SE 29th Avenue, Milwaukie, Historic Milwaukie Neighborhood. About three he years ago he wrote an ode to Milwaukie, and it was in *The Pilot*. He thought it would be appropriate to quote a couple of paragraphs from it. He is speaking as the City. "I am a gateway, and pressures of growth are threatening me from every side. I rely on those who govern and work for me to protect me from the outside influences that would crush our way of life and our community. People of honor and courage unfettered by selfish agendas or petty politics must step forward to find a way – and there is one -- to sensibly and realistically manage the human deluge that is on its way. To accommodate it, but control it so I remain an island of refuge within these regional boundaries." Those are idealistic standards to meet. When he was thinking about the City he was being very idealistic – that was how he felt. This can be done with effort and soul searching. The May 18 staff report is irrefutable evidence that some people do not want to meet those standards. It is smoke and mirrors. A complete sell out of livability to a fix that is, although politically expedient, cheap, quick and dirty. Just an aside. It is remarkable how the City can ignore the traffic problems of our neighborhood through 20 years and our pleas for assistance, and then in record time find a way to gleefully pour hundreds of more cars through our streets. This heavy-handed attitude by the City, Metro, and TriMet is clear evidence they feel they owe no accountability to our citizenry. He knows he is not Einstein, but he did not just parachute in here from Mars. He senses some things. They attempt to give this the illusion of being pushed by the people, but that is completely false. It is staff driven in its entirety, and it was a done deal from the very beginning. He saw the 2.4 plan near the post office and archery range in May one year ago. Over 20 years ago, roughly the time they started the transit center by City Hall, TriMet engineers were examining the entire area south of town including Kellogg Lake. Let no one tell you it came from the working group. It was a plant pure and simple. They keep alluding to our City's reputation of inconsistency when faced with regional demands. After two years of our meetings in 01 – 03 light rail was invited into our town only to have PDX, Portland, Clackamas County, and TriMet change their minds and take the rail down 205. In other examples our leaders have pushed the City toward obligations the citizens deemed unwise, so we voted them down. Who has been unstable? Our leadership. This is a perfect example of them changing their minds. It was set once. Persons of leadership keep saying if we don't do as they say, they will turn us into a slum -- meaning Metro and TriMet. He does not think they want to turn this into a slum. That is just preaching fear. He does not think people of leadership should attempt to influence through fear and lies. Lastly, he implored the City Council as leaders,

citizens and actual residents of the City as opposed to those who seem to be calling all the shots around here to step up and make the courageous and honorable choice – the only one you can make – take Kellogg Lake off the table.

Gil Frye, 12476 SE Guilford Drive, Milwaukie. A couple of years ago in 2002, he went to Vermont. Vermont is overwhelmed about the second week of October because that is the changing of the color. He just got back from Vermont and decided we have a lot of color. We have a lot of color right here in Oregon. He would like to be president of the chamber of commerce for the Oregon territory. The Oregon territory is beautiful. It is just as beautiful as Vermont if not more so. We need to promote it and work at it somehow, somewhere. An awful lot could be done. We have a beautiful City right here in Milwaukie. So the pictures he took in 2002 were of the Ledding Library, St. John the Baptist Catholic Church, and our trestle. He did not know of another city – there may be a number of them – but he does not know of another city that has a trestle. That trestle is right there at Kellogg Lake. He knows there was no money to develop that park. We never have any money– it is just tough. He hears about schools in Portland, Milwaukie, and North Clackamas. The recent report by North Clackamas is that the budget stinks. North Clackamas knocked \$7 million off its budget, and they feel cutting these positions is terrible. He does not know where the City would find the money for the park. Kellogg Lake is sitting there and what have we lost lately. What have we lost lately? Crystal Lake he thought was a city park. It later became Crystal Lake Gospel Park. It was a beautiful land and a beautiful park. He visited there in the 1940's. Now it is Crystal Lake apartments, and he thought there was still a small lake there. The North Clackamas School District came along and the state of Oregon and we had to consolidate. He has heard the City sold its Jr. High for \$10. That is what he heard. He cannot prove that himself. It would have been nice if we could have bought it back. And if we had thought about it that is the way it should have been handled. He does know in one case in Portland, a plot of ground was donated to the Portland Public Schools on the condition that if they do not use it as a school, it goes back to the heirs. That was done probably in the 1920's. The idea should have been way back when that if the District does not need the wonder property, the City gets it back for \$10. Their fiduciary responsibility would not allow then to do that. He does not really see any kids playing ball out there any more under the new plan. We have seen additional parking replacing the ballfields. He really did not know that those ballfields are rented out to the local people who would have appreciated that facility. Somewhere along the line we have the sewer system, and they tell him they do not like that site anymore. He does not know who was involved with making the decision of putting it there. He has taken a tour of the plant, and they spent a lot of money getting rid of the smell. They have shown him how it was done. They said somewhere in Everett he understands there is a hotel built over a sewage plant. You would have to find out if that is true. They have done a marvelous job of curtailing the smell, he can hardly imagine they would build a hotel on top of the sewage plant. Now that we think it is a lousy place to go, it is going to cost \$50 million to \$500 million to move it out of town

and send it somewhere else. Here we have our Kellogg Lake. We lost Crystal Lake. We lost the Jr. High. We lost some of our waterfront. Now for some reason or another we are trying to lose our Kellogg Lake. He thought there should be a work day with a bunch of volunteers and make some trails in there and enhance the beauty of the park. It is a beautiful site. It could be the classic place for a picture representing Milwaukie. It is just a beautiful site.

Councilor Loomis commented on Crystal Lake. He believed it was a private amusement park. A bond measure was put on the ballot to purchase it, but the citizens of Milwaukie chose not to buy it.

Roger Cornell read a letter from the Historic Milwaukie Neighborhood Association. "The Historic Milwaukie Neighborhood Association unanimously rejects the proposed relocation of our transit center to the Kellogg Lake site. While we support the move of our transit center north of downtown we do not support the Kellogg Lake 2.5 site for the following reasons. It reduces community livability and destroys our small town character. It does not support our Downtown and Riverfront Framework Plan and our Comprehensive Plan. Natural resources are key to our uniqueness. It would require selling our valuable waterfront open space. It is inconsistent with Willamette Greenway, the Endangered Species Act, Goal 5, and Metro's inventory of regionally significant habitat. It endangers one of Milwaukie's few registered significant historical sites, the Birkemerier-Sweetland home. Neighborhood traffic and bus impacts are too great. Unwanted traffic congestion is promoted in our downtown and on McLoughlin Boulevard. It fails as a transit center. It does not support revitalization efforts. The community does not support this site. Years of citizen work would be ignored. There are better sites available. The Historic Milwaukie Neighborhood Association is supportive of our Downtown and Riverfront Plan and desires to continue working for the visions and revitalization efforts that the community embraced. We are requesting that City Council reject the proposed 2.5 Kellogg site and refocus on designing a solution that includes moving the transit center north of our downtown.

Les Poole, 15115 SE Lee, Milwaukie. It seems since we last got together that some time has passed, and that indicates to him some of the issues that were presented previously were really taken in a serious manner. Originally we were going to vote on this and make a decision quickly. He thanked everyone for taking a little extra time because this will affect our future -- amen. He advised everyone in this room and everyone on the City Council to think of the conflict going on with our good friends at Metro. As someone who has been involved in land use for a long time, we, I, all of us are heading into a mine field and 15 or 20 years from now, he was sure that we will be sorry if we site at Kellogg Lake. You have heard that emotionally; you have heard that in a practical manner. When we get to the end of 2040, this is going to go down along with the Day Road prison and some of the other things that have happened out of convenience. He closed by saying it is literally amazing how much money we are spending

planning, politicking, micromanaging, twisting and bending in the wind in the entire Metro area. If there is anyone in the room who would like to discuss how well we are getting along with our regional partners when the reason we are having so many problems is that we have some top down mentality at Metro that creates situations like this. He was not here to say Metro is horrible. He is here to say it seems to him that in spite of all the talk, what is really happening is that once again Milwaukie is being divided. People are getting to know their neighborhood in the wrong way. We are all tweaked and irritated and throwing rocks back and forth. If he put a map on the wall and put some pins in it, he could show where everyone in this room and everyone in the working group lives and where everyone affected by this lives. It would provide a very interesting overview.

Linda Fields, 11593 SE 27th Avenue, Milwaukie. She is one of the 740 people who signed in opposition to the Kellogg Lake site. Having lived in Portland for quite a few years, we came to Milwaukie from whence we graduated from high school. We came back because we considered Milwaukie home. They also wanted to raise their children here and live out their lives. Our roots are deep in Milwaukie having family members here for 80 years. Four generations have graduated from Milwaukie High School. She chose her present home for easy access to schools, churches, the library, parks and medical care. Yet free from major traffic and noise pollution of a larger city. In this time of world unrest and actual fears that seems to come closer daily, our homes are more and more our safe havens. Quality of life, livability, ownership and tradition – our home. She appreciated the time the advisory group and the City Council have spent on this matter. She appealed that the City Council not be locked into the Kellogg Lake site. This area is heavily congested now let alone adding a park-and-ride structure and the buses. Her heart goes out to the residents whose homes are even closer to the site than hers. Our homes are probably our largest financial investment we make in our life time. Also, perhaps a legacy to our children. The Kellogg Lake site is residential and Greenspace, and nicely tied at this time to the Riverfront Plan. Please do not devalue our homes with more traffic and more pollution. Sacrificing Greenspace when another location would be more appropriate to the needs.

Allison Allison, 20955 SE 28th Avenue, Milwaukie. At the last meeting Roger and Karen [Cornell] presented information she was not aware of prior to that. One of the things they pointed out was that the location at Kellogg Creek would not eliminate the transit center or the need for bus layovers in the existing location. Her understanding is that was the purpose of relocating the transit center – to get them out of downtown. If Kellogg Creek cannot do that, it seems unwise to pursue that option. The second thing is that the working group voted on the night to recommend a location to the City Council based on inaccurate financial information. Now that it is more accurate, would that vote have remained at the same ratio? She would like to see it not happen there for various reasons, and these were two of them.

Councilor Loomis said there have been comments about buses laying over. In everything he has read, he has not seen that buses would be laying over in downtown. He asked for clarification.

Swanson said they would not be laying over in the sense there would be a transit center. The confusion is that all of the options result in basically the same effect in the downtown. The effect in the downtown is you continue to have a need for service and bus stops – not a transit center. Transit centers are typified by longer-term layovers, which is what we see around City Hall with buses either idling or shut down. What we will be seeing in the downtown is continued bus traffic. It will be of the short duration that you see when you are following a bus and it stops at a stop to pick up or let passengers exit. All of the options have the same effect in terms of the downtown with the exception of 2.4. It was located in the downtown but has been rejected because of concerns from the high school. Phil Selinger, TriMet, will speak more to that when staff gives its wrap up.

Councilor Stone said part of her research has uncovered there are indeed going to be some recovery layovers, if you will, in front of City Hall. Meaning it is not just going to be a stop. It is also going to be – if a bus has to catch up on a schedule – maybe they got there early or whatever – that they have to sit there. It is not going to just be like a stop in front of your neighborhood. That is some of the research she has uncovered. She asked if she was incorrect.

Mayor Bernard said that can be discussed during the staff portion.

Howard Steward, appointed to the Planning Commission, said he was speaking for himself. He was appointed to the Planning Commission as a representative of business. His business address is 4120 SE International Way, Suite A 112, Milwaukie. There is a piece of this that is going on here that the Planning Commission faces time after time. The shape of the lots are forever a bugaboo to the Commission. The depth of the lots. What he sees now is, we are trying to say, and by the way he was not there to support Metro or anyone else per se, but to say that as he talks with his grandsons, we are doing a job in regional planning that is not going on any place else in the country. People come here from Detroit, New York, Boston, Los Angeles, Phoenix, Dallas, you name it to see how we are planning. It is not all going to be smooth. It is not all going to be correct. But, to say that we are pre-packaged is a tragic misunderstanding. We work at it diligently on the Planning Commission just as the Council is wrestling with this decision. It is not easy; it is not fun. It is not always right, but it is the best we know how to do at a given time. He hoped the City Council would give thought to what it asked the citizens planning group to do, what it asked the Planning Commission to do, and to consider that when making the decision.

Neutral Comments

Teresa Bresaw, 12744 SE Weedman Court, Milwaukie. Planning Commission member. She wanted to bring up some questions she had. She would not say it is definitely a bad idea or a good idea. She still had questions that were unanswered, and the main thing is to get those assurances. If those assurances come though that means someone is actually following through. Rather than saying, "go ahead and do the study and whatever you find out go for it." She does not want the City Council to put a rubber stamp on what the Planning Commission decided. She did vote for the study – not to say "yes" it is the best idea. It may or may not be; she does not know. At least two people are not sure, and she is one of them. One definitely voted against it. She wanted to make sure from the April 8, 2004 Planning Commission minutes that her main concern was the storm water. What will happen with the water runoff from the polluted cars and buses, the oils, etc? Is that something we might be able to plan for? Her questions were: does Milwaukie have stormwater management standards for developments? Is the City considering all or the upland development and impervious area when planning for the re-establishment of the old stream corridor when the Kellogg Lake dam gets removed? Need to determine the carrying capacity of the stream based on the amount of development. Public/private roads, etc. that drain into the stream. The ability of soils and vegetation to control and absorb the flow. The amount of flow that will travel through the corridor to the Willamette. How is the City going to comply with the new environmental zone being proposed by Metro? Who will be responsible for the decision that the placement of the transit center at the Kellogg Center is the best and right decision? Will there be someone in Milwaukie who will look out for Milwaukie's competing interests – environmental, residential, and commercial – to help make the most fair, final decision in conjunction with the environmental study? In short, what assurances do we have the right decision is based on the best values, not just on saving money by putting the transit center on an empty piece of land? There were two of us who were not sure this was the right decision, but a study is just a study. Yet it is almost as if we are afraid that will open the door to let someone go through and go for it. It is going to save money in the long run, but she was not sure if that is the best decision for the future. In other words, money is not the best motivating reason to do this. But maybe the City Council knows the answer to that

Stan Link, Eastmoreland resident. He testified in a neutral capacity since this decision does not affect him personally. He did grow up in Milwaukie. This is his hometown. He graduated from high school here. His parents live here, and he travels through Milwaukie often. He is concerned the best decisions are mad for Milwaukie's future. He wanted to make sure that this decision serves Milwaukie's interests. Is the decision the City Council makes going to pay dividends for Milwaukie long term, guaranteed? He works in real estate investment business. A while back he ran into the Milwaukie Downtown and Riverfront Framework Plan. He was impressed with it. Thousands of man-hours and thousands of dollars went into producing this document. He was inspired by it because it was the first time that he has seen in a couple of decades a vision for Milwaukie that

everyone signed off on and wanted to see through to the end. It is a nice document. After he reviewed it, and because he does work in real estate, he saw a disconnect between how this plan becomes reality. The vision is excellent but paying for it is difficult. Over time he has observed that it appears that private investment in redevelopment in Milwaukie has largely stayed away from the downtown. He knows there are a few exceptions, but largely they stay away. Public investment in this kind of detail is fabulous, and if that were possible or easy you probably would have found that by now. The way he connects these to the particular issue of 2.5 and the vision is that he sees the real need for infusion of public money into the downtown district. That infusion would potentially come Milwaukie's way in federal transit dollars that would be coming from Washington, D.C. via TriMet and landing here possibly at Kellogg Lake. If a tremendous amount of money, he estimates upwards to \$20 million, could really be an engine that would produce immediate, tangible economic benefits and redevelopment for downtown. He provided a drawing. He apologized for coming into this late, but he felt there was a way to leverage this sort of federal money and be the real jump-start Milwaukie can use. It was a concept to open the City Council's minds and process as it formalized its decision. He provided a drawing of the southwest corner of Main and Washington Streets. It is a parking garage. It has on the street level a retail component as part of the development, which is consistent with the objectives outlined in the Downtown Plan. The housing component is also consistent with the Plan. It provides the parking the City Council is after. It is underneath or hidden toward the back. Imagine this investment planted right here as a beginning for some future development for the downtown. He left the drawings for the City Council to consider. In this scenario, the 2.5 money was taken and put downtown with the retail objectives with housing on top and about 2 acres of parking underneath. He was not selling this particular drawing, but he was selling the imagination that this parking could actually extend under Main Street. It could be extended, and other blocks would be jump-started. It could come north. There are a number of variations that would provide the parking that you need as well as meet some of the retail and housing objectives. More importantly, it would be the infusion of capital Milwaukie needs downtown.

Councilor Lancaster was intrigued with the concept Link developed. How many vehicles would 2 acres house?

Link thought about 200 cars. This was just a concept. It could be three levels of parking with housing on top. It could be two levels of housing on top of that. He pointed out a couple of other advantages. The housing and retail pieces could either be separated at the beginning of the development or towards the end. It can be added to the tax base, and the City could earn money from that to help fund other services. The parking being in this location is immediately across the street from the waterfront. If the City does develop its waterfront according to this vision and you have concerts or festivals there is immediate parking. On the weekends the City would have parking to help support the retail plans downtown.

In addition, 2.5 has people parking, jumping on the train, and passing Milwaukie by. This would have them park in Milwaukie with their money, and they would walk through town or parts of it to get to the train. There is a possibility to capture some of these people and help infuse some sort of business activity downtown. It could be built in phases. It is a small garage and not nearly as big as 2.5.

Councilor Lancaster understood Link just picked a City block for the concept plan.

Link picked that block because it has two property owners. It is more difficult for TriMet to acquire two blocks than to make a deal with the City that already owns a piece of property. It is less difficult than a property with five owners. It is the furthest block south, so it would more easily capture the northbound McLoughlin traffic.

Councilor Lancaster asked Link when he said more difficult was he simply speaking to the fact there would be numerous purchase transactions vs. one? Or would there be a price differential.

Link did not know if there would be a price difference but there would be numerous property transactions, which would be more difficult. He did think TriMet would be the hero in this scenario by using federal money to jump-start a community that really needs it. It might be harder, but TriMet would look better in the end.

Councilor Lancaster said theoretically, the City could do this to every block in downtown Milwaukie and create that parking.

Link thought it could be done. He did not know if it would have access to the train stops.

Councilor Lancaster asked if it would be feasible to create a parking area within that for buses for layovers?

Link thought that creative design could solve a lot of issues. He would imagine that would be accurate.

Jim Newman, 13557 SE Kuehn Road, Milwaukie. He lives on the west end of North Clackamas Park. He is concerned about the lawsuits that might arise out of the sale or transfer of this property. The City is responsible for anything it should know is a consequence underneath it. To drive piling in this thing would be extremely difficult. He was told by Ray McCorkle, a Milwaukie High School graduate who works for Condon Johnson in Seattle and is about 45 years old, so he remembers the end of some of this. Pilings going through large rocks would have to be H-beams. These are shaped like an H, and large building are put on

them in order to drive through that rock. The vibration through it makes what is around it unstable. To go back a little on the history of that thing. Before McLoughlin Boulevard was built River Road went down and crossed under the track about 150 feet east of where it does now and turned sharply and went right up River Road. When McLoughlin Boulevard was put in that was a hole. They got rock from the gravel pit next to Hillside Park where the apartments are now to fill that area. It came down the Carver Street car line bumped on the tracks to 29th and Harrison, down Harrison and filled that up. It is under solid gravel with dirt. In the 1940's that lake was a lot larger and was like Aldercrest Creek. In the late summer, it becomes just a trickle. You could walk across it in places on rocks. There was not enough water to keep it in good shape. It smelled. There were no sewers then – those did not come in until the 1980's – so it was a pretty filthy thing. The lake is many feet of silt, and there are places where you could not walk through it. The City wanted to get that filled. Right where the sewage treatment plant is now before the plant was built, KPR Sand and Gravel bought it from Nichols's Boat Works. They would move the big rocks across the street – the Super Highway – and dump it down the bank. So you have layers of these big rocks. The people from Oak Grove driving by saw an easy place for a dump. When the Columbus Day Storm and other things happened, that was a great place to get rid of debris. You have layers of round rock that was put in there without any dirt or gravel in order to make it stable, but it is hollow. Then you have layers of yard trash, debris, and garbage, and then the trucks would come back across the road and dump more road in it. This whole thing is fill on a 45-60 degree angle across to where it is now. When they go to put in test borings to see what is under there, every test boring is going to be different. It will tell them what is under there, but it will not tell them it is on an unstable 60-degree slope. You do not notice depression or anything. With a park, it would not make any difference. When it is paved and has heavy traffic on it, the vibrations could cause more depressions. From the borings and the information, engineers are going to make those H-columns heavy enough to go down through the rock, silt, and high water table land to get to a solid place of compaction in order to put this in. They will design it big enough so it does not slide, but it will still loosen up the whole thing. It is subject to depressions. The word will get out to the piling people about it, but it would be important that it is noted what is there before any transfer is made. It could be very costly work.

Randall Welch, 2244 SE Lake Road, Milwaukie. He is a long time resident. His great grandfather lived here. Third generation Milwaukie High School. Went to Ardenwald and Jr. High. He left around 18, and he just moved back 2-1/2 years ago. He is a stakeholder. He purchased this property because of the beautiful lake. Even though some people do not see that, he encouraged any one to come by and see what it really looks like. You have heard lots of testimony about what the lake really could be, so he did not continue with that. He is dumfounded we would actually use waterfront property for a parking structure. He does not understand that. He also does not understand why you would take open and Greenspace and use it for a parking structure on waterfront property.

This does not make sense to him. From the very beginning, it seems to him it was a done deal, you already had all of your answers, and whatever we had to day did not really matter. He hoped that was not the case. Perception is that this was a done deal but hopes that is not the case. RiverFest is next month and has something to do with water. Then we are going to sacrifice other water. That river and that little patch of land could be a great park if you look at your plan it is actually in there as a park. It is something to be thought about. We talk about not wanting to sacrifice businesses. He as a business owner wanted to come to Milwaukie with 25 employees. He had a small conversation with the city manager to talk about incentives to bring his business here, but there was nothing. Somewhere along that line it makes him feel if business were so important, you would have had another 25 employees that would have been here. He does not know what that is really about. The 740 signatures from Milwaukie citizens should not be just pushed aside. That is a lot of people and just a fraction, he thought, of the number of people who would oppose the plan. Everyone he has talked to opposes this plan. People read about it in the newspaper, not even from Milwaukie, and they scratch their heads and do not understand why the City would sacrifice and put this on riverfront property. When we were in the other stage with the Planning Commission, there was some apprehension, and wanting some answers. What he felt happened was you need to push this through – City Council will take care of it. You need to deliver this recommendation. Now we are here. He hoped we really think about this and not just push it through to the next level. Or LUBA will look at it. He thinks this is the place it needs to stop. There are some great alternative ideas out there. We should really look at those. He is a stakeholder. John Gessner said there probably would not be any mitigation for someone like him because he did not see his property would be devalued. He thought it would be. OHSU is going to build the South Water Corridor. They are going to push ahead with the plans for the aerial tram. They are actually going to buy some of those houses that will be affected. His question to the City Council is are you planning to do that too? It is too close to the high school. The high schoolers come over to his house and hang out in his yard. They can walk a few more steps and go to this other plan 2.5. It will not be that hard. If it is not good at 2.4, it is not good at 2.5 he can guarantee. He provided a videotape to enter into evidence from a July 28, 2003 meeting concerning the future of the Willamette. Mayor Bernard spoke of his desire to redevelop his downtown property. This is offered in support of our request that the Mayor recuse himself. The tape is cued up. He entered it into evidence and encourage the City Council to look at it.

Councilor Barnes asked Welch what his business is.

Welch works for Columbia Collections Service. It relocated outside of Milwaukie close to the Aldercreek Jr. High. His family is from here. He lives here. His mother is co-owner of the company and has lived here all of her life. That was truly something they wanted to do.

Howard Dietrich, 9701 SE McLoughlin Boulevard, Milwaukie, spoke on behalf of the North Industrial Property Owners Committee owning most of the land in the area from the City limits to Hwy. 224 and from the railroad to 17th Avenue. He understood the purpose for the consideration today is talking about moving from the locally preferred option to a suggested option of Kellogg Lake. If we look at the locally preferred option, it indicates it provides that a line will run along Main Street and cut up through properties and then go back to Hwy. 224 on the railroad lines. That option has been studied at great depth, and for many different reasons rejected. It interrupts and substantially changes the existing character of the industrial area. It will affect a substantial number of jobs, property values, and the future of this town in the way of hiring people with living wage jobs. He does not like change. He is too old to like change. He does believe that we have to look at the future and look at transportation and say one part of the development of our City will require transportation improvements in the long-term. Whenever there is change there is one group that is effected, and the other group is affected a different way. This is a tough problem because nobody likes change. He does think the Milwaukie group that spent a lot of time together, came up with alternatives that they reviewed in great depth, and everybody was invited to join those groups. During that process they came up with the Kellogg Lake alternative and not because it was perfect. There is no such thing as perfect. It was because it would, we think, help the City and riverfront development. There are assurances from TriMet that they would solve any kind of environmental, structural issues, and making it as pleasing aesthetically as possible to the City. He has to believe that of alternatives seen, that is the best. He does love the idea of putting a huge parking garage under downtown, but he does not like the displacement that would during that process. It is almost like the Big Dig in Boston. The water table is about 6-8 feet underground, so we would have to deal with a lot of those problems. He does hope that TriMet and the City will look at the aesthetics and how we are able to improve the waterfront area along Kellogg Lake and the Willamette. He thinks it can be done in both ways, and it seems to him the waterfront area is not enhanced at this time and has not been for a number of years. He represented and helped bring this property to the City when it was originally donated. There were no restrictions placed upon the property specifically because the people who were donating the property said they hoped it would be used to help the furtherance of Milwaukie and the development of the City. He was sure they would be proud of this use.

Carlotta Collette, 3905 SE Johnson Creek Boulevard, Ardenwald-Johnson Creek Neighborhood Association and working group member. She appreciated the opportunity given to many to testify a second time, and she would try not repeat anything she said earlier. She did want to respond to a couple of things. The first thing was that it has been suggested the City Council look at option 2.2 rather than option 2.5 because that somehow protects Kellogg Lake. In all the 2-point options Kellogg Lake becomes a parking lot. At option 2.2, Kellogg Lake becomes a 600-car parking lot. Option 2.3. has an 875 car parking lot. The

proposal that the working group came up, which was the best compromise it could come up with, has a stacked park-and-ride above the station to reduce the footprint and reduce the amount of area that had to be developed. It has 525 parking spaces. None of the options preserve that site except for the 1-point options that were rejected out of hand because of the destruction they would do to the industrial community. Another issue that came up tonight that concerned her was Teresa's comment that as a Planning Commission member she had great concerns. What the working group was trying to say to her and trying to say to the City Council tonight is that while this is not just a decision to do a study, it is a study. There will be a study. All of her questions will be answered no matter what site is chosen – whatever option is chosen. An environmental assessment or a full-scale environmental impact statement will have to be done for any site, and all of those questions will be answered. If this site or any site fails that study, a different site will have to be chosen. We are fairly sure we can mitigate all of the potential damage and impacts to the Kellogg lot that would come from being a transit center and/or a light rail station. She liked some of Stan Link's suggestions. She loved the idea, as she did with the Kellogg site, of mixed use on site. Of having parking, residential, commercial, businesses being invited back into the community. We could not give the person who spoke earlier the kinds of tax breaks that Portland or other communities can give them to move their businesses here. We cannot afford it. Milwaukie needs money, and it need to cover the costs of permitting and processes with a cost to the business. We cannot just write them a blank check. However, if and when light rail comes through it does include development the kind of transit oriented development that Stan Link spoke of. Anywhere within a quarter mile of the light rail line and its stations. There could be all of that type of development. Starbucks could be wherever we want them to be. We would not have to foot the bill, and Starbucks would actually get a pretty good deal to move in. Another thing that came up is that 700 or so people are opposed to using that site. She sympathized and she could understand. She does not like using open space. She is a strong environmentalist, and she would be very careful about how we use any open space. This plan not only builds on the work of the working group, but it really builds on the work of the Downtown Plan and the Riverfront Park. There is nothing about this plan that drains Kellogg Lake. Kellogg Lake's draining is part of the Downtown Plan. Removal of the dam and restoration in order to put pedestrian walkways along the north side of the Lake where the lake water is right now – that would become a public park. It would not be the private property of the Kellogg Lake residents. It particularly concerns her for Marie Watkins whose historic house is a little further away. At least with the transit center on that site, it will be supervised. It will be a fairly secure site. If it is just a public park that is going to be accessible to people hanging out there at all hours of the day, it is likely to cause more trouble than it would resolve.

Mayor Bernard closed the public testimony portion of the hearing at 7:06 p.m.

Staff Presentation

City Manager Mike Swanson spent a few minutes reviewing where we are and then ask Phil Selinger, TriMet Project Planning Director, to specifically respond to a couple of issue the City Council heard tonight and at the last meeting. Planning Director John Gessner will close the staff presentation.

Like a lot of people, he has thought very deeply about this issue and struggled with what to say. He decided the best thing to do was to return to what our basic function as the local government, and that is to apply facts to our plans and our codes. How well does a proposal fit? The first question is why relocate the on street transit center at all. What is wrong with what we see out there? He thought the major reason was to remove the idling and standing buses from the downtown streets. They are there for quite a period of time. In the staff memo, he cited the agreement Milwaukie has with TriMet that if they stand more than a couple of minutes, they have to be shut down. There are a couple of other reasons. One is to removed the long term idling and standing people from the downtown. To return to a situation where the downtown is a place in which buses pick up and drop off people. Finally, to stimulate some investment in the downtown.

This brought him to a second question. Why do we need to do those things? Why do we need to get idling buses and idling people and stimulate investment. He was drawn to the Milwaukie Downtown and Riverfront Land Use Framework Plan. Page 1 – *“The Milwaukie Downtown and Riverfront Land Use Framework Plan represents a major opportunity to reinvigorate downtown Milwaukie.”* Page 6 cites the fundamental concepts, *“...Framework reconnects Milwaukie to the Willamette River, knitting together the seam of McLoughlin Boulevard. It creates the new Riverfront Park as the city’s ‘living room.’ And it calls for revitalizing historic buildings while designating new structures to harmonize with the town’s historic character.”* Page 6 – strategies for financing and phasing, *“Framework makes this bold statement: that investing in the future of Milwaukie makes sense. Investment offers employment and opportunity for all the citizens of Milwaukie; it enriches the town literally and figuratively. Smart public improvements stimulate substantial private investment. Thus investing today in a better quality of life for downtown Milwaukie makes sense for the whole town, for years to come.”* Page 9 – fundamental concepts, *“The keystone to building a successful downtown is to build upon existing resources – the quality stores and offices that we already have – and supplement these with anchors and attractors – places used by hundreds of people on a daily basis.... The framework includes key elements which will be necessary to achieve these goals. New ‘anchor’ uses are as follows: bus transit center....”* Page 11 – key land use features and four important principles, *“Revitalizing Main Street and downtown”* It specifically cites a new TriMet bus transit center. Another key feature, *“Reconnecting to the River”* cites a *“New McLoughlin Bridge -- to knit the seam between the downtown and the river. New Riverfront Park – the City’s living room”* Another of the key

land use features, *"Restoring Natural Areas and Parks"* and it cites restoring Kellogg Creek. Finally, he started thinking are we looking at a piece of property that is within the defined area. The Framework itself includes six established and emerging planning areas. One of which, in fact, is the area to the south of the downtown including the site we are discussing.

He returned to his original question, why relocate the on street transit center? When he looks at that question in light of our Plan, the answer he comes up with is because the effects of the current on street transit center act against implementation of the Milwaukie Downtown and Riverfront Land Use Framework Plan. They are a disincentive to economic vitality and quality of life.

He has only talked about why relocate, not where. So why the recommendation of Option 2.5? During the course of three Planning Commission hearings, two and now three hearings before the City Council, the Working Group process, and the Milwaukie-only process, he was struck by the fact that much of what we talked about was opinion. On the one hand there are those, like himself, who believe that Option 2.5 will lead to development in the downtown. There are those who do not believe that will occur. On the one hand there are those who believe that Option 2.5 will lead to an increase of cut through traffic in the Historic Milwaukie neighborhood. There are those, like himself, who do not believe that will necessarily be the case. What did these and other similar views have in common? It is the belief that all of us or any one of us can predict the future with any degree of accuracy.

Rather than doing what we believe, what do we know about Options 2.2 and 2.5? Option 2.5 is within the area that is defined as being covered in the Downtown Plan. It is part of the downtown. Option 2.2 is not. The Downtown Plan calls for a transit center within the downtown to act as one of those anchors and attractors – "places used by hundreds of people on a daily basis." Option 2.5 is within that downtown area; Option 2.2 is not. The Downtown Plan calls for preservation of open space at Kellogg Lake. Frankly, Option 2.5 fails, but as Ms. Collette pointed out, the existing plans also call for a park-and-ride structure if any one of the 2-point options is implemented. Both Options 2.5 and 2.2 fail in terms of preserving open space. The Downtown Plan calls for measures that reconnect the river and riverfront development. Option 2.5 when fully developed will provide for access from the downtown to the riverside of McLoughlin via the pedestrian bridge. Option 2.5 will, in fact, fulfill that portion of the Downtown Plan that calls for reconnection to the river. The Downtown Plan calls for the restoration of natural areas and parks specifically mentioning the restoration of Kellogg Creek. Option 2.5 stands the best chance of doing that by leveraging money to do the work that needs to be done in terms of restoration of Kellogg Creek. Option 2.5 complements existing projects. There is a lot getting underway in that area. There is the McLoughlin Boulevard Treatment Project, there is the Trolley Trail, the process getting underway with regard to questioning

the continued operation of the Kellogg Treatment Plant, and the riverfront. There is a lot going on in that area, and Option 2.5 is right in the middle of it.

What about our Comprehensive Plan? The Comprehensive Plan turns out to have in this case conflicting goal statements. One is to *"conserve open space and protect and enhance natural and scenic resources in order to create an aesthetically pleasing urban environment while preserving and enhancing significant natural resources."* In conflict with that in this instance is the continuation to *"support and encourage the development of a broad industrial base in the City."* Option 2.5 arose out of that desire to preserve the industrial base within the North Industrial area. Option 2.5 – he is not going to suggest this option does not reduce open space that is available. As Mr. Dietrich said, none of the options are perfect. Option 2.5 is the most cost effective operational solutions. All of the options increase operational costs. They all come at a cost. Option 2.5 is the most cost effective in terms of that increase.

What about some local issues? Option 2.5 does carry a real impact to those who live in its vicinity. Option 2.5 also carries a solution to ongoing pedestrian problems at the McLoughlin Boulevard intersection at River Road and 22nd Avenue. He has been to three meetings in the Island Station neighborhood over the past couple of years, and there is never a meeting without an agenda item being "how are we proceeding on that particular issue?" This option solves that.

Timelines. He sat in this room a little over a year ago when the City Council decided the locally preferred alternative (LPA). He made the argument for the LPA. Councilor Barnes gave him a very difficult time because of the timelines. He could not assure her of what the actual timeline would be. In retrospect, he is glad because this process, which is necessary, has taken a great deal of time. Option 2.5 is, in terms of timeliness – timeliness is important in terms of the Downtown Plan – how quickly can we get things happening?

Finally an issue he is only beginning to understand, is where we are going in the future. The population is aging. There are differences in state law having to do with the medically at risk driver program which may in fact remove the ability to drive from some people. He cannot help but think every morning about the news in the Middle East and wonder if the Saudi regime does not survive, what is going to happen with gas prices? He is not sure we will see those go below \$2 again. This leads him to believe the future is in fact going to require that we have a close association with transit opportunities within the region. We may not like that. We may not necessarily want to go in that direction. When he thinks 20 years down the road, he hopes that we have an active transit function within this City. He thinks we are going to have a lot of people relying on that function. Our job today, and one of the difficulties of the job is we have to prepare both for today and for the future.

In closing, how do we do that. Option 2.5 definitely presents some challenges. The people who live in that area are impacted in many ways. The open space. For that, the only work he can offer is mitigation. More process because we are going to have to design ways in which to meet those challenges. This is an odd position for staff, because in a sense it is an advocacy position in a sense at this stage. Once this is handed over to TriMet, we will return to a staff function. Whatever is decided at that level – land use proceedings and whatnot – we will be in more of a classic staff role. Processes are never totally perfect. The process that has been undergone has been extensive. The answer that that process came up with is Option 2.5. As he looks at the Downtown Plan and the Comprehensive Plan, he sees many reasons to support it.

Phil Selinger, TriMet Project Planning Director. TriMet, Metro and ODOT support the Working Group recommendation. He emphasized that all work to date has been at the conceptual level. There are a lot of details to be worked out. It started with refining some issues related to Southgate and basically finding a better location if necessary for the transit center. It was really a locational exercise. We tried to be inclusive and comprehensive. There was a lot of attention given to the operating cost increment of the different options. They looked at 21 different evaluation factors, displacements, impact on the community, and many other cost considerations and really tried to cover the bases. Option 2.5 emerged after detailed consideration of the other 8 options. They started at Southgate and expanded out in search of a preferred site. They got to a stopping point with 8 options, and 2.5 came out relatively at the last minute as a solution to some of the issues found with the other 8 options. As a summary statement community engagement has been valuable and will continue to be essential throughout the process. We are not done tonight – we are just beginning. He covered some specific topics that highlight discussion to date. These were operating costs, buses in the downtown, the ODOT site, and finally the Kellogg Lake site.

Operating costs. This was a specific concern of the Council at the first hearing session. There was some confusion over the operating costs in particular running buses to the Option 2.2 ODOT site. There were three numbers that were passed around: \$1.4 million, \$600,000, and \$460,000. All of the options bear similar operating cost increments. The bus service all comes together in downtown Milwaukie. As you move the transit center out of downtown Milwaukie you create a distance between the downtown and that transit center the buses have to travel to lay over. The longer the distance, the greater the operating cost because buses have to go from downtown where they drop off passengers to the lay over location, then back downtown to pick up passengers, and then continue on their route. The \$1.4 million prepared for the ODOT site was an error. It was essentially a double counting error, and that same error was applied to all the options. In a relative sense it was applied across the board to all the options. The error was corrected after the open house and before the Working Group's final recommendation. The Working Group did have benefit of the correction to

that \$1.4 million cost of running buses to the ODOT site before making its decision. That corrected cost, rounded off, is \$600,000. Those numbers are detailed in the staff report. There was another number of \$460,000 mentioned. That was the cost that staff presented when buses were taken out of downtown and short turning them at the would-be ODOT transit center site. Buses from the north would come to the ODOT site, and rather than continuing downtown, they would stay at the ODOT site and return directly to the north. They would not enter the downtown. The tradeoff is a reduction in operating costs, but bus riders would have to transfer for the last leg of their trip downtown. That was one example provided to indicate how costs could be reduced incrementally but trading off service in the downtown. Other sites do have similar costs. The Kellogg site is \$195,000 assuming signal priority treatment to get onto McLoughlin Boulevard and into the transit center. Without the signal prioritization the cost would be higher because it would take longer for the bus to make that connection. It would be \$285,000, which is still about half of getting to the ODOT site. The LPA Southgate site cost is \$315,000. These are annual costs to TriMet.

Buses in the downtown. He emphasized the purpose of study was not to take service away from the downtown but a locational decision related to transit center. Main Street and Harrison Street are natural crossroads for bus service coming to downtown. There is service coming in on SE 17th Avenue, Harrison Street, Lake Road, from the south on McLoughlin Boulevard, and from the north on Main Street. That service naturally wants to come together close to the intersection of Main and Harrison. That is why in an effort to minimize the circulation of buses downtown a consolidated, single pair of bus stops was proposed in front of Milwaukie City Hall. It is close to that crossroad for service. He showed diagrams of the current bus volumes at typical mid-day hours, which under the existing set up. There are heavy bus volumes on Main Street and 21st Avenue. There are basically 28 buses per hour in front of City Hall with 15 to 21 buses per hour on some of the adjacent blocks. Basically buses are arraying themselves in this several block area to get to their lay over locations where they will park and wait between runs. The ODOT site orients the buses to the north to get to the proposed ODOT location. That would place 38 buses in front of City Hall with 14 buses on the street behind City Hall plus some on adjacent blocks. The Kellogg Lake option is not that different from the ODOT option. It still has 38 buses in front of City Hall and a somewhat lesser number of buses behind City Hall. For all the options that take the transit center out of downtown, we have consolidated the bus traffic to the single pair of stops in front of City Hall and reduced the overall bus activity on some of these other blocks in the downtown. They have reduced the distance the buses travel in the downtown and the number of streets used.

Selinger said there are the same number of buses but on fewer streets and with less circulation. That frees up a net of 47 parking spaces that are now taken up with all the lay over zones in the downtown. As Swanson mentioned these are

enhanced bus stops with full sets of amenities and conform to City's streetscape plan for Main Street. These would be stops, so buses would basically pick up and drop off passengers. They would not lay over. They would not have to recover their schedules. That is what the transit center is for. The buses that need to do that would continue to the transit center wherever that might be and do the sitting at that location – not in the downtown or in front of City Hall. Staff has not said anything differently, so he is not quite sure where that confusion arose.

Mayor Bernard asked how a driver corrects being a minute or so ahead of schedule.

Selinger said the driver would recognize that early on and probably dog it a bit – drive a little slower or purposely miss a traffic light. The driver could sit for a minute at a stop, but they do that anywhere on the system. Schedules are tuned so that does not happen too often. It is possible that could happen at the City Hall stop but not by design.

Mayor Bernard commented in theory there would be another bus directly behind.

Selinger agreed that drivers need to move through pretty quickly. Buses cannot do that downtown on the transit mall because they have to keep going and keep the stop clear.

Councilor Stone asked for clarification. What you are saying then is that there will be no route recovery time in front of City Hall. If a driver finds that they are several minutes ahead of schedule, they will not stop and turn their engines off after two minutes and wait there. They will go on to the transit site.

Tony Mendoza, Senior Service Planner, responded to Councilor Stone's question. Part of design of the transit center and part of the impact we have to downtown is that we have a timed transfer point. The scheduled design is so that they meet, so there is currently some overlap in their schedules. We understand what that means to the community and are working away from that. One thing TriMet can do to help avoid that situation when a driver is ahead of schedule and avoid them parking downtown we can give them a time point where they can catch up on their time or make up their time just outside of downtown Milwaukie. We do that, as Selinger mentioned, in downtown Portland, so that buses do not do that at the transit mall where the volume of buses is high. The same thing can be done in downtown Milwaukie.

Councilor Stone understood otherwise they would have to do the route recovery time in front of City Hall if they did not have another place to do that.

Mendoza said they would be doing their jobs by doing that. It can be part of their job to do it outside of downtown Milwaukie.

Mayor Bernard asked if that was in a written format or something the City could get that says that what they are going to do?

Mendoza said it is part of the standard practice in the way TriMet writes its schedules. Time points could be designated as part of this plan and where they occur.

Councilor Barnes asked how TriMet deals with drivers who do to follow procedure precisely. Is there something with the ATU?

Mendoza said there would be no reason why, if TriMet gives drivers a time point outside the City, they would want to have a time point in downtown Milwaukie.

Selinger added there is field supervision that would identify symptoms before they became problems. We also believe as specifically identified that this bus stop can work with the farmers market. The conceptual design really worked hard to make sure the market is accommodated and actually enhanced in many ways by the opportunity to do the improvement on Main Street. TriMet would continue to find ways to mitigate any of these issues. It is an evolutionary process. The development of the bus service is constantly going through changes, and TriMet stays in touch with the community. We have heard clearly what the issues are with this community tonight.

Selinger said the next topic was to address the ODOT site as a focus for an alternative to the Kellogg site. The Working Group process was a discovery process for all; it was just not limited to the Working Group. In many respects staff had visited some of these options 10 to 15 years ago for transit improvements in Milwaukie. Even sites like ODOT had been in various incarnations in the South/North and other work in an around Milwaukie. To say this was all totally fresh to staff was not quite true. We have been at this for quite a while. We did mix and match and borrow from some of that past work. As part of discovery process, they did arrive at some very fundamental concerns about the ODOT site. We believe those concerns are pretty serious. One is the functional redundancy with the proposed station at the Tacoma location, which is a very short distance from the ODOT site for to have two major park and rides next to each other. This would not make a lot of sense. It concentrates rather than disburse access to the system for park-and-riders. It creates many of the same traffic impacts they were trying to avoid with the Southgate scenario. The traffic impacts would occur both at Ochoco and Milport. There is the operating cost consideration he just detailed. ODOT like any industrial use would be displaced, and they, like other industries, have specific requirements for replacement siting. TriMet would have to comply with those needs. That would be difficult considering the size of that operation. Finally, another significant

concern was the isolation of the site. That translates into safety for people using the transit center and the park-and-ride and just the functionality. TriMet believes it gets more function having transit where people are active, living, working, playing. That adjacency would not be at the ODOT location. As was also mentioned, a facility at ODOT would still require by TriMet's assumptions at least, a parking structure at the Kellogg site. All the 2-point options have a park-and-ride structure at the Kellogg site. The reason for that is TriMet knows from the license plate surveys conducted at the Southgate park-and-ride when it was active 52% of the Southgate park-and-ride lot came from the south, and it is in everyone's best interest to intercept those trips before they get to central Milwaukie. A park-and-ride located at the Kellogg site would do that. They also had a small park-and-ride proposed as part of the LPA at the Cash Spot site which is also adjacent to the Lake but on the other side. In some ways that proposal actually bore some similarity to the joint development option Stan Link presented. The problem is the site is challenged physically, and TriMet could only get 275 spaces. This helped but was not adequate. We finally believe there are a lot of opportunities that would be missed at the ODOT site. The three main agencies prepared a memo that was provided to City staff and the Working Group in December which identified the agency concerns with all nine options including those about the ODOT site. We realized pretty early on in the process that we as staff from the three agencies could not support Option 2.2 at the ODOT site. He felt all staff would stand by that position tonight.

Staff knows the Kellogg site has its own challenges, but it does avoid traffic impacts experienced with the sites to the north. It actually improves the operation at River Road and 22nd Avenue by re-building those intersections. In that respect it is basically an asset. It works for ODOT's work program for McLoughlin Boulevard. Traffic engineers and ODOT staff look at it, and they believe it can work. It provides parking and bus connections at the end of a future light rail line, and staff thinks that is important to provide maximum transit service to the full extent of that light rail operation. It intercepts park-and-ride traffic before it reaches central Milwaukie. It provides good joint use potential with a pedestrian connection in its Phase 2 development between downtown and the Island Station neighborhood. It provides a shared parking opportunity with heavy use as a park-and-ride on the weekdays, but evenings and weekends it will be largely available for other civic uses including recreational activities at the waterfront or downtown activities as well. Staff actually believes it can help restore Kellogg Creek and the area around the proposed facility. It meets requirements for bus operations. It is the best of any of the non-downtown options that were considered. There are no significant displacements. It is City-owned land, so there will be no direct tax impacts. It has the potential for coordinating with other projects such as the Trolley Trail, Creek restoration effort of the McLoughlin Boulevard development work, and the riverfront work.

In closing, Selinger knows that there are some challenges ahead under any of these options. Certainly with the Kellogg site and the selected Tillamook

alignment and working that alignment with the Union Pacific Railroad. Moving the light rail alignment represents logistical and negotiating challenges between TriMet and the railroad. There are the environmental impacts at the Kellogg site that would have to be addressed, and staff is well aware of those. There are also visual impacts associated with a parking structure at the Kellogg site, and staff identified ways it believed it could begin to address those impacts in its memo to Mr. Swanson. We will continue to work with the community to advance that.

Selinger appreciated the thoughtful input and great patience in providing direction for this work program.

Mayor Bernard referred to the staff report and hoped that people would pick it up at City Hall and read it. It answers a lot of the questions that have been asked.

Bill Hupp testified via phone. He appreciated the opportunity to talk with the City Council. He followed this for a long time, and everything that has been said. He was on the City Council for 10 years and had arbitrary issues that had to be settled. He respects the City Council regardless of their opinions. He is very much opposed to the Kellogg Lake site. Regardless of which way this issue is voted upon by the City Council it becomes law. The sun is still going to shine and the blue sky is still going to be up above. Keep one thing in mind. You are all on the City Council because the voters voted you in. When he was on the City Council when an issue came up where he had to choose between the bureaucracy or the people, he always voted for the people. He hoped that in order to bring peace and tranquility back to the separated City of Milwaukie the City Council would put it on the ballot in order to know what the people want. If people do not want it, it should not go. If the people do want it, then it should go.

Councilor Loomis said with all the 2-point options are the intersections improved on McLoughlin Boulevard.

Selinger said with the Tacoma option there were already some intersection improvements established related to the Tacoma overpass. There are no other McLoughlin Boulevard interfaces with that option. At the ODOT site there might need to be some signal improvements like re-timing. The physical improvements would be minimized at that intersection. There would be improvements at Kellogg Lake with options 2.1, 2.2, and 2.3.

Councilor Loomis asked what would be the impact on the Sweetland home where Marie Watkins lives if the intersection is improved.

Bill Adams, ODOT, said in most of the designs no private property would be taken.

Selinger referred to the Kellogg scenario in its Phase 2 development with the improved intersection at 22nd Avenue and River Road. The River Road

intersection, in this conceptual plan, does not quite align with the Sweetland driveway, but it could. The distance between the home and the focus of the improvements which is at 22nd Avenue and McLoughlin Boulevard is significant. It is about 500 feet.

Councilor Stone had a question about the different options and the estimates for how much they would cost. She wondered in Option 2.2 you assumed a speed of 17 mph to get this figure of what it would cost per year. Option 2.5, you did both 27 mph and 25 mph with signal priority treatment. Is the 2.5 assuming 17 mph also with signal priority treatment?

Selinger said that was without the treatment hence the slower average speed.

Councilor Stone wondered why there were no figures that showed Option 2.2 assuming a speed of 25 mph. Certainly that would decrease your costs if they could get there quicker.

Selinger said there are no signals on Main Street between downtown and the ODOT site. In that case it is really distance rather than the signal issue.

Councilor Lancaster thought he would be speaking for the Council when he said he was struggling with so much information and a lot of it is conflicting. It makes it difficult for him to get his arms around it. He certainly was not prepared to ask every question he has at this meeting. He understood there were 21 evaluation factors. He asked if they were weighted.

Selinger responded there was no way to weight them because they felt it might lend more subjectivity to the factors. The factors were presented individually, and the Working Group drew their own weights to the various factors.

Councilor Lancaster said the cost issue continues to be vexing. It went from \$1.4 million, which Selinger explained, then it dropped to \$800,000, then to \$600,00, and then to \$400,000. Is that your final answer?

Selinger said the costs are detailed on the table that is part of the staff report. He did not recall \$800,000. \$600,000 he believed is what he mentioned in the City Council meetings, and Gessner was picking up the mitigated number by short-turning some buses. Selinger and Gessner were not making quite the same comparison.

Councilor Lancaster asked Selinger how he arrived at the last number he gave City Council for the cost comparison. When he looks at the numbers given in testimony by the certified transportation professional, he is having trouble reconciling that.

Selinger said respectfully, TriMet has certified transportation professional as well. This is something that is done routinely, and he asked City Council to keep in mind this is conceptual planning. To be honest, he did not know if TriMet had a bus going out there. There is detailed data about what the buses do to day along Main Street, and that is where the 17 mph average speed was developed. Beyond that, it is the number of buses per day or per week making that trip times the speed times \$65 per hour system cost of providing the service.

Councilor Lancaster asked if there were some point where TriMet actually goes out to interview the riders and drive the route?

Selinger said staff did drive the route to validate what they were seeing from the database that keeps detailed records of bus operating times in various segments along the system. It uses global satellite technology, and TriMet felt comfortable with that process for this level of detail. This is order of magnitude planning.

Councilor Lancaster said this has been brought up several times, and no one has actually asked it outright. Has TriMet purchased property at the Southgate site?

Selinger replied TriMet has for a long time desired to replace the park-and-ride facility that was once at Southgate. TriMet also knew that it had a locally preferred alternative that promised continued use of that site into the future. Regardless TriMet knew it needed a park-and-ride until that future came, so it proceeded to negotiate and has a pending offer on the site with that property owner. That offer is pending because of Federal Transit Administration (FTA) sign off with the negotiated purchase of the property. The answer is, it is pending.

Councilor Lancaster asked Selinger if he saw any obstacles to that deal being consummated.

Selinger responded none of these deals are ever easy. It is always different players, and the FTA is always a partner by providing the bulk of the funding for most of these projects.

Councilor Lancaster discussed the ODOT site and his involvement in the lengthy planning process with 9 months of visioning and the Comprehensive Plan. There have always been some very positive elements with the ODOT site. When he looks through the documents ... the one dated January 2003 where people were looking at the options. We spent a lot of time to get to the Southgate site, to the LPA. Suddenly the Southgate site is on its ear. He felt compelled to go to where we were before we started this latest process. This document shows the North Industrial landowners supported either option, the neighborhood associations were evenly split between the options, and downtown

was leaning toward it not being in their yard – which tends to be everyone's case. When this process started, he understood Selinger ran the process.

Selinger said the Working Group was lead by TriMet and consultants.

Councilor Lancaster asked Selinger if he was at all involved with the process up to this point.

Selinger responded the project manager reported to him, and he is no longer at TriMet. He said he was aware of the process.

Councilor Lancaster was trying to get to the North Industrial business owners' involvement. He was not sure where the Kellogg Lake idea came from. Was it a bolt of lightning out of the sky? Did someone just bring it forward? He was unclear how we got to that point. The caveat being there were accusations made or statements made the North Industrial business owners were never given an opportunity in that initial decision, when in fact they were. There was plenty of opportunity. Their involvement understandably is just get it out of here – we'll go with anything that gets it gone. Did the idea come from them, or did it come from someplace else?

Selinger asked **Dave Unsworth** to respond since he was in all of the sessions.

Unsworth said there was a series of meetings. The first was a description of how we go where we are, and how we came to the locally preferred alternative at the Southgate site. It was very clear that one of the first things was how to mitigate the LPA, which means there were parking impacts, and traffic impacts, displacements. Initially, the focus was on how to fix the LPA and other concerns and comments that Tillamook was a better alignment that avoided some of these issues and could be a better transit location. The Group split into teams and asked people what concerns they had and started drawing them up. From his standpoint, he saw people from the neighborhoods, staff, industrial folks talk about what was right and what was wrong with the LPA and how it could be fixed. The point-2's were looking outside the box and what benefits those had. The Kellogg Lake location started out to meet the needs for a park-and-ride. He would not say it was the industrial folks by themselves coming up with that idea. It was a collective thing. Option 2.5 built on 2.4. People said there were issues with 2.4 and asked if there were other ways to solve it. There is already a park-and-ride there, could the train be moved to go across the creek and serve that park-and-ride? Could we look at doing a transit center there? Each piece was looked at -- what were the issues with the buses in downtown Milwaukie? They idle, they are noisy, and they took up parking spaces. Let's look at a way of fixing that. But we do not want all the transit service out of downtown because it is important to getting people in to and out of downtown.

Councilor Lancaster said getting back to bringing people into and out of downtown. One of the things that rang in his ears when the other testimony came forward with their study in terms of interviewing people, they were just here to transfer and go someplace else. Do you have any good evidence a transit center actually promotes development and stimulates business in downtown. All he has seen is to the contrary. That interview process seemed to confirm that. The gentleman from Gateway section – Councilor Lancaster had no idea why he came or what motivated him – he has not stake here he is aware of. He tended to share nothing but the deleterious effects of a transit center in that neighborhood. He was trying to delineate between assumptions – that light rail creates all kinds of great development and there is not of good evidence that it does. He is trying to get past the theory and assumptions and some real credible evidence of some past history of things that have really happened.

Selinger said good access is important for any town center – Milwaukie is a town center – whether that access is by car or by bus or walking. Transit service needs to be a part of that formula for providing good access to a community. He did not think a transit center or a transit facility or even great bus stops alone make a great downtown. It is not magically going to bring development to the downtown but it complements all those things that make a good or great town center. That is the important thing to remember. There is no magic in this. We can be creative in how we put these things together. TriMet does work hard to link its transit investments with land use opportunities. We are doing that on Interstate Avenue right now. We are trying to do that in Gresham and on the west side as well in Hillsboro. Beaverton is. It takes collaboration. TriMet and the transit service by itself do not make that happen. Even the proposal that was creatively presented, although a great scenario, requires some really strong partnerships – some very complicated partnerships. Developers. Community buy in. Tight funding packages. TriMet is trying to do what Lancaster was speaking to throughout the region.

Councilor Lancaster said his question was answered in part. It leads to other things in terms of assumptions. One of the objections to the ODOT site was that it was too close to Tacoma park-and-ride. Does that mean Tacoma is a given? He understood that was also just a proposal.

Selinger said the one advantage Tacoma has is that it is on major cross street with McLoughlin Boulevard, so it is a good connection to the community to the east and west. It also is a good bus connection, which the ODOT site does to naturally possess. Part of his point was to put a 600-space parking structure at Tacoma and then to put another one at Ochoco would create the same park-and-ride market area around those stations and also creating a little bit more traffic as people try to get to those 1,200 parking spaces within ¼ mile of each other. It would be redundant investment, and he believed the other partners in the agreed with that conclusion. Tacoma is in the LPA and not identified as a study area like Southgate. The LPA is subject to revision as it goes into the next step though

final preliminary engineering and the final environmental process. Tacoma Street could be modified through that process.

Councilor Lancaster said that is part of the problem. As we get farther into discovery, alternatives have to change because of new information. That is why it is important to him not to move too quickly until we are convinced we have all the information that is needed. From his perspective, this needs to be more of a long-term decision than a short-term decision. He will get to the funding piece in a later question.

Unsworth discussed Tacoma and why it works well. Tacoma is grade-separated, so cars coming down McLoughlin Boulevard or from Hwy. 224 have an access that gets them into the park-and-ride when they want to come home at night. There is no traffic signal there, so they are able to go over the top and come back down on a ramp. It allows people to get to and from that site much easier. Ochoco has a traffic signal that gives about 15 seconds of green versus about 1-1/2 minutes of red time, so it is very difficult to a lot of cars out of the intersection. TriMet looked at that site a long time ago and realized 600 spaces certainly did not work from a traffic standpoint, and it failed miserably. Tacoma works very well. The second reason is if you look at investment likely to happen along the Springwater Trail, which is the Three Bridges project, that connects the Ardenwald neighborhood and Sellwood all pointing to that location. That is a twofer where it provides the ability to park cars and the ability for recreational use at non-peak times. The Tacoma Street park-and-ride has a lot of strengths to it. Looking at duplicating a larger park-and-ride at Ochoco does not work from a traffic standpoint, and it did not when considered 6 or 7 years ago. If there is light rail, there would probably be a park-and-ride lot at Tacoma.

Councilor Lancaster we seemed to be boxed into building these multi-story park-and-rides versus this kind of concept that could have much greater economic positive impact. When you discuss trails, this scenario seems ideal. The again how much do we really need.

Unsworth said the LPA had a 275-space lot at the Cash Spot with parking above and retail on the ground floor. It also had a 600-space park-and-ride at Southgate and a 600-space lot at Tacoma. TriMet originally looked at 1,000-space lot at Tacoma because the demand is there. In discussing it with the Ardenwald neighborhood, it suggested trimming it to 600 spaces, which in fact happened under the proposal.

Selinger discussed traffic implications of having those spaces downtown.

Unsworth commented that is not dissimilar to Hillsboro. There is a structured park-and-ride lot with storefront retail on the bottom floor. It is actually commingled with the sheriff's department.

Selinger added this is actually on the western edge of Hillsboro with the intent of intercepting drivers before they go through the City.

Unsworth commented that was not dissimilar to concerns about getting across the street from downtown Milwaukie to the riverfront. He believed that was the impetus of looking at a park-and-ride farther south. Cars are being captured that would with go on to Southgate or Tacoma. They are stopped before driving through the central city.

Councilor Lancaster would be interested in any objective data that that has been successful in Hillsboro or not.

Selinger said the garage is not fully utilized, which is somewhat of a disappointment. He presumed part of it was that the market to the west of Hillsboro was not that great, and people tend to want to drive to the Sunset garage because it is closer in.

Councilor Lancaster said that was his point. We need to look at that.

Unsworth discussed the investment in the downtown and infrastructure in part because of the investment in rail that took place.

Selinger added from a design and scale standpoint, it works reasonably well. There are some large buildings around there as well.

Councilor Lancaster why would ODOT have to be displaced? He understood under this diminished footprint, we would only need two acres, and that is a two-acre site. Why could they not cohabitate?

Selinger replied the tentative response from ODOT was Phase 1 perhaps could be located on the ODOT site without displacement. They would have to compress their operations, and there would be some cost to that although it has not been estimated. When you get to Phase 2 with the parking facility, light station, and tracks going through the middle of the site that is when they believe they would have to be relocated given the size of the operation.

Councilor Lancaster understood this was based on light rail coming.

Councilor Stone asked if that was based on funding through voter approval? All the park-and-ride structures we are talking about are married to light rail.

Selinger said that is the general understanding at this point, but nobody has a particular strategy for doing that.

Councilor Stone understood Phase 1 would relocate the buses, and Phase 2 would bring park-and-ride structures with light rail. They would not exist without light rail.

Selinger said that was correct except for the proposal he referred to at Southgate, which is an interim arrangement for park-and-ride.

Councilor Lancaster recalled the comparative numbers, and he wanted a good comparison between the two that are on the table for serious consideration. The capital expense for ODOT was \$63 million and \$61 for the Kellogg site. He asked Selinger to share with him how to get to those costs. We are building sky bridges and massive amounts of improvements to the Kellogg site. How can it be less expensive than the ODOT site?

Selinger said those numbers are differences in cost from the cheapest scenario. There are so many parts of this that were moving between scenarios, staff did not try to cost the Kellogg site or the ODOT site in isolation because the alignment was moving, intersections were being considered, there were things in the downtown with the improved bus stops. This was basically a total cost that summed up all those pieces and the puts and takes the various changes created to come up with that cost differential. In-house cost engineers prepare estimates. This is a very conceptual level of planning, so the costs are order of magnitude and pretty rough at this stage.

Unsworth noted the length matters. Option 2.2 is a longer route than Option 2.5. there are more displacements with Option 2.2, so the length of alignment and the number of displacements will add costs.

Selinger included the number of stations, the number of parking structures versus surface parking, the number of grade crossings, and other similar things.

Councilor Lancaster said, based on his experience and perception of acquiring federal money for these projects that there is a strategic advantage to getting something started to get new amounts of money and do it in phases. Would it not make more sense to have a location that has less cost to get to it and develop it versus going all the way to the very end at Kellogg Lake.

Selinger believes the process to date has demonstrated we need to get to downtown Milwaukie to have a project at all. Once you have brought the would-be light rail project to Milwaukie, exactly where it stops, whether it is at the Jr. High School, Lake Road, or the Kellogg site, it is not academic because it all has a cost, but have basically arrived in Milwaukie. You need to optimize how you make it work within that terminus, the general location where you are terminating the project.

Councilor Lancaster said that make sense to him for light, but not necessarily a transit center.

Selinger said we are in the federal process right now with a proposed light rail project to Milwaukie. We are in that process. We have a locally preferred option. Were we to go to the federal government and say we want to build a transit center in Milwaukie, they are going to want to make sure we are building investment and that we are not creating throw away projects.

Councilor Lancaster thought all the money had been diverted to 205 and out to Clackamas County. He understood Selinger was saying Milwaukie still has a place at the table for light rail to Milwaukie at this point?

Selinger said for a process very much so. For a funding package that is a regional process which is yet to fully unfold.

Unsworth added there was a commitment in April 2003 to build South Corridor that involved two things. One was light from Gateway to Clackamas Town Center. The second phase is Milwaukie light rail. The intent is to build it. How we fund it, when it comes, the location of the transit center is all part of the process. It started with City Council asking questions about the right location and moving the transit center off street sooner than later, so they started looking at that. That is what we started to do. The first phase is to move the transit center and make sure it does not have to be moved again and make sure it is set there for light rail. The intent is to build light rail. That is what came to the City Council in March 2003. Funding is an open debate. When will it happen? Not soon. The "if" depends on a lot of things including funding.

Selinger commented Beaverton's new transit center went through that same process. It was located with the future light rail alignment in mind, and that did work. You keep your finger crossed when you do that because things do change. In that case it was successful.

Councilor Lancaster was confused about the actual bus lines. We have 12 lines right now that come into Milwaukie.

Selinger said that was correct.

Councilor Lancaster asked how many of those would actually be diverted to the Kellogg site? Based on what he has heard up to this point, he is still a little confused. It seems like there are still significant lines – he believed it was five – that would still have layover right in downtown Milwaukie. How many would layover and park in downtown Milwaukie.

Mendoza said there would none.

Councilor Lancaster understood 100% of the layovers would be at the Kellogg site.

Mendoza said they would either layover. Some of the things we would move to right away as early as September is to interline line 28 and line 29, for example. Interlining means they become one line and loop through. Those lines are still both operating and overlap and wait for the other lines to make the transfer. That is called a time transfer or a pulse, which causes those buses to take up a whole parking spot in downtown. We are looking at the importance of that pulse and it is possible the line can go right through. That pulse may go away as early as September. TriMet is also looking at the line that goes down to the industrial area and looping it with another line that could interline two more lines as early as September that will also take out another parking space. Where six lines have the potential to park in the new Kellogg Lake site, TriMet could immediately take out some of that layover function from Milwaukie as a result of what was learned in this process.

Selinger added those routes are doing their layover in Oregon City or Clackamas Town Center at the other end of that combined route. He mentioned the routes that would continue south on McLoughlin Boulevard would have stops alongside the Kellogg transit center and would pass through the ODOT transit center on Main Street. Those routes that go from north to south would do that but at least provide the connection both to the downtown bus stop and to the transit center.

Councilor Stone understood the 12 lines that come into Milwaukie will all go to the Kellogg site.

Selinger responded yes in the case of those that require a layover. Only some of the, however, would lay over at that location. The reason not all routes can do as Mendoza described is because some of the routes have already come a long distance. To combine two long routes creates too much uncertainty into the schedule. Those that are interlined are local routes that have relatively short distances and could be connected into one long route.

Mendoza said not all need to go to Kellogg site because they all have the ability to meet each other between Jackson and Harrison on Main Streets. So whether we bring that bus to Kellogg is academic.

Councilor Stone understood the effect of interlining these routes was that they could potentially meet in front of City Hall and not have to go to the Kellogg center, so therefore we have quasi transit center at City Hall if they are doing that.

Mendoza said this would be a bus stop where they will meet each other and not necessarily a transit center where they are laying over.

Councilor Stone's concern is not just a stop and they go on. They will not have any time delay layovers.

Mendoza said there would be no layover. They pass through, drop off, and pick up. It is the place where all services can meet.

Councilor Lancaster was struggling with, and he actually loves aerial photography, the fact there is one way in and one way out. He heard them say they would be able to reduce traffic volumes on McLoughlin Boulevard.

Selinger said the intent would be to take park-and-ride commuters off McLoughlin Boulevard before they pass through central Milwaukie. They may continue going north to get to another park-and-ride, but if you had a facility at Kellogg Lake they would not even have to pass through the downtown. They would turn off at Kellogg and pick up their bus or train from there.

Councilor Lancaster is looking at what we are living with in the meantime. Light rail may never make it that far in his lifetime.

Selinger described the Southgate scenario and it as a park-and-ride.

Councilor Lancaster was done with his questions for the time being and will formulate others.

Planning Director John Gessner discussed the highlights of the Planning Commission decision. One because we feel it was an independent review of the Working Group recommendation, and two it largely incorporates or accommodates many of the concerns the City Council has heard on both sides of the issues. It does a pretty good job of addressing the substantive concerns that have been raised in testimony before the City Council. One of the things that characterizes planning decisions is that it involves resolving competing interests, goals, and values. The Working Group was by design a collaborative process from the beginning. The Group resolved those competing differences largely through identification of individual stakeholder concerns, coming up with the alternatives, then deconstructing for critical evaluation. After five months there was a sense of agreement that option 2.5 ought to be forwarded to the Planning Commission for its consideration, and by that process, the competing values were resolved. It is a much different environment when we go from a collaborative process to a competitive process. Essentially the testimony before the Planning Commission and before the City Council has changed in character from collaborative where all the stakeholders were working together to come up with a common agreement to all the stakeholders trying to impress the Planning Commission and City Council with their own best interests. It went from a collaborative to a competitive process. The Planning Commission decision does a good job of representing the resolution of those differing values and concerns.

He thinks that is why it received such a strong endorsement from staff and the Planning Commission. When trying to resolve competing interests, a cure for one might offend another. It becomes a difficult task, and he appreciated the difficulty the City Council has as elected officials and being asked to resolve those differences.

What did the commission consider? All these issues have been represented in documentation both from staff and public testimony. Transit needs and goals, industrial, downtown, open space policies, and costs. A lot of discussion before Planning Commission and City Council had to do with specific locational impacts and how it affects a location or a resource. Traffic and environmental concerns. Impacts on historic properties and visual impacts. Development opportunity, effects of all the options on the City's tax base, business displacements, public safety, and loss of open space. It is a real challenge to be able to think of all these different areas of concern at the same time while trying to find a solution that offends the least and benefits the most.

Why did the Planning Commission support the Kellogg site? There was a great deal of enthusiasm in that it results in the timely relocation of the transit center. There is great advantage in City's for owning the site and for being able to facilitate removal of the transit center from downtown. The problems with LPA initially identified by the Planning Commission and then acknowledged and adopted by the City Council with regards to LPA, traffic, and business impacts in the north industrial area and lack of participation by some stakeholders are resolved by Option 2.5. Councilor Lancaster asked the question about the claim that there would be reduction of commuter traffic through the City. That supposes that the Kellogg site would act efficiently as a grab, meaning the parking lot is going to fill, and thereby keep the 500 plus cars out of the downtown and McLoughlin Boulevard at the Kellogg site. The McLoughlin Boulevard intersections are corrected. The industrial tax base is preserved, and there was testimony about the actual loss in taxes. Gessner cited \$6.3 million in today's value if the LPA were to be constructed today. That resulted in a total governmental loss of \$120,000. Compound that every year, and it results in a significant loss. The Planning Commission found it supports the City's economic, land use, and transit policies. There was discussion of site-specific impacts, and the City Council believed that through the Committee process that TriMet committed to, mitigation of environmental, public safety, and architectural impacts could be accomplished. The one with the greatest currency is that it has the fewest adverse consequences and results in the greatest benefits to the City in the judgment of the Working Group and Planning Commission.

Gessner reviewed the next steps because there is a lot of concern about what happens if the City Council decides to forward a recommendation in support of Option 2.5. The matter would first go to the South Corridor Policy Steering Committee for its recommendation to the TriMet Board and Metro Council. Once that is accomplished, money would be released to start phase 1 environmental

analysis on the site to ensure that any impacts can be mitigated by identifying any actual sensitive resources and mitigation methods. An important part of the discussion before the Planning Commission was City participation in a design mitigation and public safety committee. A decision to go forward would address public testimony and concerns about environment, public safety, and design impacts and provide people the opportunity to participate in future design decisions so that we have some assurance that whatever design is landed upon, we will be off than if that participation not occurred. There is still quite a bit of local review that would need to be completed. This includes a rezoning of the site and change to the downtown plan. These are judicial hearings before the Planning Commission, which would make recommendations to the City Council. There is still a lot of opportunity for debate and discussion on those changes. Funding approvals would be necessary for funding approvals for future light rail. State and federal environmental permit processes and City review of land use applications would occur. TriMet and Metro would have to make application before the Planning Commission for the actual construction of these facilities. He felt this overview summarized the reasons for the Planning Commission's decision and why it supported the application.

Councilor Lancaster asked if there was objective data on crime statistic near transit centers especially in proximity to schools.

Gessner said the Group requested report history for the existing transit center from Chief Kanzler. It was apparent there were a lot of calls having to do with juvenile offenses, which might indicate a strategy for dealing with that particular problem.

Councilor Lancaster raised this because he has a good friend who used to be a transit police officer. He told stories about all the sites around the Metro area, and none of them were pretty. When he looks at this site and we talk about security and visibility and access, this seems like a perfect place for crime to work.

Police Chief Larry Kanzler said what has happened historically is the environment is created around the transit centers without the planning processes taking into account the influence of crime. It has happened in Gresham, Portland, and Hillsboro. The cart came before the horse. In Portland, for example, he was responsible for supervising the downtown core area. The transit center drew a lot of police resources because there was no consideration before the fact in the design and construction process to try to mitigate crime. We have learned from that, and he has had many discussions with then Gresham Chief Guisto and the Hillsboro Chief about what they would have done differently. All of them agree that if they could have had the opportunity to provide input into the design process of how the transit center is created, they could mitigate any of the impacts of crime at the front end rather than on the backend. If Milwaukie gets involved, it will have the opportunity to shape future

facility and be ahead of the curve. In all the instances, in Hillsboro and Gresham where they had gang impacts right on the platforms, they did not have the resources, the police, the surveillance cameras, or TriMet police. Everything was catch-up. TriMet police was not of the size or capacity to deal with the problems, so everything had to be catch-up. Resources had to be created. He has talked to the City Council many times about how long it takes to develop a police officer before they can go out and do their job. The same lag happens when you have to deal with these crimes that develop. During the process when we were talking about putting the transit center near the Library, he mentioned to the City Council and Working Group about a system called crime prevention through environmental design. It is a process to evaluate the structures and environment you create to provide access for police, supervision, observation of people who use the facility, and mingling police with the community. He provided some reports to Gessner about creating the design of the parking structure so it allows access and egress from control points and surveillance of those locations with video cameras to mitigate car prowls, purse snatches, and assaults. Once it is known these things are in place, they will go to softer targets. Crime will go where it is easiest to conduct.

Councilor Lancaster asked Kanzler if that was his opinion regardless of where the transit center is sited.

Kanzler said that was correct.

Councilor Lancaster asked if there were additional concerns after hearing from that gentleman who had some of the history of the Kellogg Lake site.

Selinger said borings and samplings have not have not done to see first hand what is down there. Through conversations, we do know there is all kinds of stuff in there. We have talked to our structural engineer about how to manage that, and he is not concerned. There would have to be pilings, and there was a similar situation at the Long Bridge at the end of the Interstate light rail line. It is part of the cost of the project, and TriMet feels it can manage it.

Gessner asked at what point in the process would the geotechnical analysis be done.

Selinger believed it was done during preliminary engineering.

Councilor Lancaster was concerned that if we narrow it down to these two locations and move toward one and find there is a fatal flaw, he doe not want to go back a long ways to look at the next-best alternative.

Selinger said neither does TriMet.

Mayor Bernard has set up a meeting with the ODOT Regional Director on July 18 to get a couple of these issues answered. One of the issues he is concerned about is the Sunrise Corridor that does in fact dump into Hwy. 224. He is interested in meeting with them and finding out what they have talked about or what they would consider to eliminate some of those lights such as Monroe Street. He had some preliminary discussions at a Sunrise Corridor meeting, and they said they would love to get rid of some of those lights. Councilor Lancaster and he will attend this meeting. He intends to give ODOT some homework. He needs to find out more about the transit center location. We talked about design criteria for entering the transit center and for fixing River Road and 22nd Avenue. He wants some answers from them on that. Furthermore, on the ODOT site – are they interested in selling? Would TriMet even be interested in considering a transit center there. If they are not, why are we talking about it? Some of those issues need to be clarified. He recommended setting a date specific for deliberations on the transit center relocation.

It was moved by Mayor Bernard and seconded by Councilor Lancaster to continue deliberations to a future meeting.

Mayor Bernard requested that interested persons submit their comments in writing to move the process forward.

Councilor Loomis was concerned about dragging this on. He felt the meeting was an acceptable reason. There are a couple of things he wanted to address and the beating staff took this evening. There was the accusation of lies and underhanded this and that. To him this process has been open. What really bothers him is that type of testimony undermines all the hard work over the past 5 years that Mike Swanson, for one, has lead to bring people together. The benefits out of this whole process are now we have a new member into the community of the industrial landowners who have not been part of the process. Now we have the citizens and industry. We are all working together, and then it all blows up. To accuse and undermine the process is upsetting to him. He asked people not be bitter about the process. He hears things about TriMet. In all the testimony and all the written material, the City Council asked them to do something and they and staff went out and did it. He felt they did a great job. Because someone disagrees, it does not mean someone is right and someone is wrong. It is a disagreement -- do not make it personal. We all say we are here for the benefit of Milwaukie and to make it better. He believes that, and he has no hidden agenda. Speaking for the City Council, there is no hidden agenda. We want what is best for Milwaukie. To muddy the waters and cloud the issues with opinions which are good to have, but it comes down to the facts. We hear arguments on both sides that use conflicting statements trying to make their point, and all it does is muddy the waters. Let's try to stay positive and come out of this with something that will benefit Milwaukie. In talking with some of the homeowners and visiting their property, they live in a paradise. It is a beautiful sanctuary, and he is committed to protecting that for everyone to enjoy. We talk

about livability and in speaking with some of the homeowners on the Lake, one of the good things that has come out of this is that you have gotten to you're your neighbors. Ms. Shepard said she has lived there for 4 years, and did not know anyone. Now she knows everyone on the Lake. It is all about community. Ms. Watkins talked about having a tour of homes. Do not lose that perspective. No one is trying to do some secret deal. He has not found the secret door, but he has been looking. Maybe he is not included in the back room. He thanked Swanson for his hard work.

Mayor Bernard said this process has been great. Every time you move along in the stages, someone else says they have not been contacted so did not get involved. No one gets involved until it impacts him or her. This is our community, and we should be involved in everything. During the budget process, nobody came to the meetings. If we said we were going to raise taxes, everyone would be at the meeting. Back room meetings, smoking cigars, and cooking deals does not happen. He has a home in Milwaukie. He has a business in Milwaukie. He has property here. You are right – he wants to increase the values. What is wrong with that? There is nothing wrong with that, and he hoped people would see that tape because he is proud of what he said. We were talking about access to the Willamette River and tying our cities together. Why? Because we can increase the value of our communities and use the Willamette River, which is very valuable. You are right, his property value is going to go up and so is everyone else's. That is important. This is a community, and we need to work together. We need to be here all the time, not just when it impacts us. This is a great process. He met a lot of business owners and people who walk by his business every day that he never talks to. He has been involved every step of the way. The day after he was elected Mayor, here comes light rail – let's deal with it. That was when the 14-Points were created and agreed upon by everyone. He never heard anyone say those 14-Points were bad. In every one of them light rail came to Milwaukie. It was a way to deal with light rail. The same people who got that group together are the same people who showed up today angry at him for even thinking about Kellogg Lake. This is a great process, and everyone is going a great job.

Councilor Barnes asked if Mayor Bernard's intent was to deliberate after the meeting with ODOT.

Mayor Bernard said that was correct for a couple of reasons. It is time to focus on the RiverFest.

Councilor Barnes does not want this to wait until the end of July and Riverfest where we should be celebrating the community spirit and healing. She was against waiting until the end of July for a final decision. We have to come up with a decision that offends the least and benefits the most. This will probably be the hardest decision this group is ever going to make and the hardest decision we have made to date as a team. For those who said this was a done deal from the

beginning -- it was not a done deal -- it was not predetermined. She struggles with this daily as do other member of this Council. We have listened to testimony night after night. People have taken her to various places to see various things. It has not been a done deal. This Council does not operate that way. In fact, its major goal has been communication for a long time. Anyone who even says that publicly bothers her a great deal. The five people sitting at the dais want you to know that they have been listening. We do listen to people in this community. We take the phone calls at 9 and 10 at night when people are angry. We take the e-mails. We keep stacks and stacks of information, and we go through it. We put hours and hours in. We ask the staff to do the same thing over and over again, and they come through because they know this is important. This is a major decision affecting the City. No one is taking it lightly. Everyone knows what is at stake. The threat of lawsuits is sad when someone outside our community comes in threatens a lawsuit when we make a decision. That is not what this process is about. You have a right to speak. You have a right to say what you need to say. If you take part in the process it is even more full of weight because you worked on it. You were there and put in the sweat and time. She wants people to realize it was a done deal, but anyone that sat with the working group or read their minutes or sat through the Planning Commission meetings or watched it on television knows it was not a done deal. Everyone struggled to make the decision, and they did the best they could. Finally, she felt there have been a lot of questionable acts going on in the community over this issue. Things that have been disappointing at best. Phone calls that were made that never should have been made. Statements that were made that never should have been made. She is hoping when all this is said and done, that people realize how hurtful this process has been for this community -- not helpful. She would like to get back together with another clear vision for the future of what we can do with this much opportunity and this many people willing to invest their time. Do not give it up on the bad things. Reinvest it in what we can do for this City in the future.

Councilor Stone asked if there was a motion on the table. She wants to stay focused on that.

Councilor Lancaster said this is a decision that has very dramatic impacts for Milwaukie for the next 20-plus years. While he is all for moving the process forward as quickly as it should move, decisions of this magnitude should not be rushed. He wants to ensure he has heard every voice and has every bit of information that is available to make his decision before moving forward.

Councilor Stone said he took the words right of her mouth. That was exactly what she was going to say. This decision, as much as she does not want to delay things, she feels the City Council should not make a hasty decision without hearing all the facts and clarifying all the questions. She is most willing to wait until after that meeting and look at future dates at the next meeting that the City Council can convene and deliberate about this.

Motion passed 3 –2 with the following vote: Mayor Bernard, Councilor Lancaster, Councilor Stone aye; Councilor Barnes and Councilor Loomis nay.

ADJOURNMENT

It was moved by Councilor Stone and seconded by adjourn seconded by Councilor Lancaster to adjourn the meeting. Motion passed unanimously.

Mayor Bernard adjourned the meeting at 9:20 p.m.



Pat DuVal, Recorder